"(c) In this section:

"(1) The term 'defense funds restored' means a restoration of funds authorized by section 1552(a)(2) of title 31 to an appropriation account of the Department of Defense.

"(2) The term 'contract change' means a change to a contract under which the contractor is required to perform additional work. Such term does not include adjustments to pay claims or increases under a so-called 'escalation clause'.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2782. Unobligated balances withdrawn from availability for obligation; limitations on restoration.".

(b) REPORT ON STATUS OF AIR FORCE FUNDS IN TREASURY M ACCOUNT.—The Secretary of Defense shall submit to the congressional defense committees a report on the status of the availability of expired or lapsed funds of the Department of the Air Force in the Department of Treasury Account known as the "M Account". The report shall include an accounting of all funds for the B-1B aircraft program that have been transferred to that account and the amount of those funds that have been withdrawn or obligated from that account. The report shall be submitted concurrently with the submission to Congress of the budget for fiscal year 1991.

31 USC 1531 note

SEC. 1604. **PROHIBITION ON TRANSFER OF FUNDS TO OTHER DEPARTMENTS AND AGENCIES**

Funds made available pursuant to this or any other Act for military functions of the Department of Defense may not be made available to any other department or agency of the Federal Government pursuant to a provision of law enacted after the date of the enactment of this Act unless, not less than 30 days before such funds are made available to such other department or agency, the Secretary of Defense submits to the congressional defense committees a report describing the effect on military preparedness of making such funds available to such department or agency.

SEC. 1605. AUTHORITY TO TRANSFER FUNDS TO DEPARTMENT OF ENERGY

(a) TRANSFERS FOR ATOMIC ENERGY DEFENSE ACTIVITIES.—During fiscal year 1990, the Secretary of Defense may

transfer to the Department of Energy, from funds appropriated to the Department of Defense, such sums (not to exceed $135,000,000) as the Secretary of Defense and the Secretary of Energy, with the approval of the President, determine are necessary for Atomic Energy Defense Activities. Funds so transferred shall be merged with, and shall be available for the same time period as, the appropriation account to which transferred.

(b) CONGRESSIONAL NOTICE-AND-WAIT.—A transfer may not be made under subsection (a) until—

(1) the Secretary of Defense notifies the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives in writing of the proposed transfer and of the source of the funds for the proposed transfer; and

(2) a period of 30 days elapses after the notice is received by those committees.